and on conviction thereof shall be pun-ished by a fine of not less than fifty nor more than five hundred dollars. shall be deemed guilty of a misdemeand than five hundred dollars, or by im-ment in the county jail for not less than one week nor more than one year, or by both such fine and imprison

Section 35. Nothing in this act shall be construed as preventing the parties to claims hereunder from entering into vol-untary agreements to settlement thereof, but no agreement by an employee or his dependents to waive his rights under this act shall be valid, nor shall any agree-ment of settlement or compromise of any dispute or claim for compensation under dispute or claim for compensation under this act be valid until approved by the commission, nor shall the commission ap-prove any settlement which is not in accordance with the rights of the parties as given in this act. No such agreement shall be valid unless made after seven days from the date of the injury or death.

Section 36. Upon receipt of notice of any accident the commission shall forward to the employer and to the employee or his dependents a form of agreement to pay and accept compensation, providing for payment of compensation in accordance with the provisions of this act, which agreement shall be promptly executed by both parties and returned to the commission, and if in any case the employer dis-putes the claim for compensation and for that reason refuses to execute the agreement to pay compensation, the commis-sion shall assist the person who claims to be entitled thereto, in filing his claim and securing an early adjudication thereof: and where such arreements to pay and receive compensation are executed and filed it shall be the duty of the commis-sion, in case payments thereunder are not promptly made to provide prompt measures for the payment of such compensa-tion and for hearing disputes with refer-ence thereto. If the parties agree, they shall file with the commission a report of the facts and their agreement, and if the agreement is approved by the commission it shall make an award of compensation thereon in accordance therewith.

Section 37. Every employer, his director, officer or agent, who discharges or in any way discriminates against an em-ployee for exercising any of his rights under this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred doilars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and

Section 38. No proceedings for compensation under this act shall be maintained ms written notice of the time, place nature of the injury, and the name and address of the person injured, shall have been given to the employer as soon as practicable after the happening there-of, unless the commission shall find that there was good cause for fallure to give such notice. No defect or inaccuracy in such notice shall invalidate the same un-less the commission shall find that the employer was in fact misled and preju-

Section 39. No proceedings for compen-sation under this act shall be maintained unless a claim therefor be filed with the commission within six months after the injury or death, or in case payments have been made on account of the injury or death, within six months from the date of the last payment. In all other respects such limitations shall be governed by the law of civil actions other than for the recovery of real property, but the ap-pointment of a guardian shall be deemed the termination of legal disability from minority or insanity.

Section 40. If the employer and the Section 40. If the employer and the in-jured employee or his dependents fail to reach an agreement in regard to compen-sation under this act, or if they have reached such an agreement which has been signed and filed with the commission and compensation has been paid or is due in accordance therewith, and the parties thereto then disagrees as to the continuance of any weekly payment under such agreement, either party may make an application to the commission for a hearing in regard to the matteps at issue and for a ruling thereon. Immediately after such application has been received the commission shall set the date for a hearing which shall be held as soon as which shall be not shall be as which shall be not shal ing, which shall be held as soon as practicable, and shall notify the parties at issue of the time and place of such hear-

Section 41. The commission or any of its representatives and witnesses and shall determine the dispute. All evidence introduced at any such hearing shall be reported by a competent stenographe appointed by the commission. The award with a statement of the finding of fact, ruling of law and any other matters pertinent to the question at issue shall be filed with the record of proceed ings, and a copy of the award shall im-mediately be sent by registered United States mall to the parties in dispute.

Section 42. Upon its own motion or upo the application of any party in interest or the ground of a change in condition, the ssion may at any time review any award and on such review may make an award ending, diminishing or increasing the compensation previously awarded, subject to the maximum or minimum pro-vided in this act, and shall immediately send to the parties a copy of the award. No such review shall affect such award as regards any moneys pald.

Section 43. If an application for review is wission, if the first hearing was not held before the full commission, shall review the evidence, or, if deemed advisable, as soon as practicable hear the parties at issue, their representatives and witnesses and shall make an award and file same in like manner as specified in the foregoing section.

Section 44. An award of the commission as provided in section 41, if not reviewed in due time, or an award of the commission upon such review as provided in sec-tion 43, shall be conclusive and binding as to all questions of fact, but either party to the dispute may within thirty days from the date of the action or award of the full commission appeal to the cuit court of the county in which accident occurred, or if the accident oc-curred outside of this state, then in the county where the contract was made for arrors of law, by filing notice of appeal county where the contract was made for errors of law, by filing notice of appeal with the commission, whereupon the commission shall, under its certificate, return to the court all documents and papers on file in the matter together with a transcript of the evidence, the findings and awards which shall thereupon become the record of the cause. Appeal from the circuit court shall be allowed the same as in civil actions and all appeals to the circuit and appealiate courts shall have presedence over all other cases except election contests. Upon the setting aside of the award, the court may remand the cause to the commission for further hearing or proceedings, or it may enter the proper judgment upon the findings, as the nature of the case may domand. In all appeals from the commission or circuit court the costs thereof shall be assessed against the losing party as provided by law in civil cases.

Section 45: Any party in interest may Section 45. Any party in interest may file in the circuit court of the county in which the accident occurred a certified copy of a memorandum of agreement approved by the commission or of an order or decision of the commission, or of an award of the commission unappealed from, whereupon said court shall render judgment in accordance therewith and

notify the parties. Such judgment shall for in any court of competent jurisdiction, and in case of a continuing violation, in relation thereto shall thereafter be the same as though said judgment and determined by said court. Any such judgment of said circuit court unappealed from our effection of said circuit court of competent jurisdiction, and in case of a continuing violation, each day's continuance thereof shall be and deemed to be, a separate and distinct offense.

Section 54. If any party shall die pending in the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit court unappealed from our effection of the said circuit circuit court unappealed from our e judgment of and circuit court unappealed from or affirmed on appeal or modified in obedience to the mandate of the appellate court, shall be modified to conform to any decision of the commission, ending, diminishing or increasing any weekly payment under the provisions of section 42 of this act upon the presentation to it of a certified copy of such decision.

Section 46. In any case a temporary or partial award of compensation may be made, and the same may be modified from made, and the same may be modified from ti e to time to meet the needs of the case, and the same may be kept open until a Gall award can be made, and if the same by not compiled with, the amount thereof may be doubled in the final award, if the final award shall be in accordance with the temporary or partial award. the temporary or partial award.

Section 47. Any notice required under this act shall be deemed to have been properly given and served when sent by registered mail, properly stamped and addrescod to the person to whom given, at his last known address in time to reach him in due time to act thereon. Notice y also be given and served in like manner as summons in civil actions.

Section 48. The compensation herein

Section 48. The compensation herein provided may be commuted by said commission and redeemed by the payment in whole or in part, by the employer, of a lump sum which shall be fixed by the commission, but in no case to exceed the commutable value of the future installments which may be due under this act, taking account of life continuencies, such payment to be commuted at its present value upon the basis of interest calcu-lated at four per centum with annual rests, upon application of either party. with due notice to the other, if it appears that such commutation will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, or that such employee or dependent has removed or is about to remove from the United States, or that the employer had sold or other-wise disposed of the greater part of his business or assets. In determining whether the commutation asked for will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undus expense or undus hardship to either party, the commission will constantly bear in mind that it is the intention of this act that the compensation payments are in lieu of wages and are to be received by the injured employee or his dependents in the same manner in which wages are ordinarily paid. Therefore, commutation is a departure from the normal method of payment and is to be allowed only when it clearly appears that some unusual circumstances warrant such a departure.

Section 49. On notice to the other parties the commission or court may permit the employer to be discharged from further liability under any agreement, award or judgment for compensation by furnish-ing to the person entitled thereto an an-nuity or other obligation, approved by the commission or court, by which payment is assumed by some responsible person, or by depositing the commutable value there-of with the commission to be disbursed to the persons entitled thereto in such man-ner as the commission shall determine.

Sec. 50. (a) After an employee has re-ceived an injury he shall from time to time thereafter during disability submit to reasonable medical examination at the request of the employer, his insurer, the commission or any of its commissioners, the time and place of which shall be fixed with due regard to the convenience of the employee and his physical condition and ability to attend. The employee may have his own physician present, and if the employee refuses to submit to such examination, or in any way obstructs the same, his right to compensation small be for-feited during such period, unless in the opinion of the commission the circumstances justify the refusal or obstruc-

(b) The commission or any of the com missioners, or referees, may appoint a duly qualified impartial physician to examine the injured employee and to report, his fees and traveling expenses for which shall be fixed and allowed by the commission and paid as other costs under this act. If all the parties shall have had reasonable access thereto, the report of members or referees shall hear in a sum-mary proceeding the parties at issue and such physician shall be admissible in evi-

(c) The testimeny of any physician who examined the employee shall be ad-missible in evidence in any proceedings for compensation under this act.

(d) Certified copies of the proceedings before any coroner holding an inquest over the body of any employee receiving an injury in the course of his employment resulting in death, shall be admissible in evidence in any proceedings for compensation under this act, and it shall be th duty of the coroner to give notice of such to the employer and the depend ents of the deceased employee, who shall have the right to cross-examine the wit-

Section 51. All proceedings bef re the commission or any commissioner or ref-erce shall be simple, informal and sum-mary, and without regard to the technical rules of evidence, and no defect or irreguarity therein shall invalidate the same Except as herein otherwise provided, all such proceedings shall be according to such rules and regulations as may be adopted by the commission. Section 52. The commission, or any com

Section 52. The commission, or any com-missionor or referee, shall have power to issue process, subpoens witnesses, admin-later oaths, examine books and papers, and require the production thereof, and to cause the deposition of any winness to be taken and the costs thereof paid as other costs under this act. Any party shall be entitled to process to compel the attendance of witnesses and the produc-tion of books and papers, and at his own cost to take and use depositions in like manner as in civil cases in the circuit manner as in civil cases in the circuit court. Subpoens shall extend to all parts of the state, and may be served as in civil actions in the circuit court, but the costs of such service shall be as in other civil actions. Each witness shall receive the fees and mileage prescribed by law in civil cases, but the same shall not be allowed as costs to the party in whose behalf the witness was summoned unless the persons before whom the hearing is had shall certify that the testimony of such witness was necessary. All costs manner as in civil cases in the circuit had shall certify that the testimony of such witness was necessary. All coats under this act shall be approved by the commission and paid out of the state treasury from the fund for the support of the Missouri workmon's compensation commission shall determine that any pro-ceedings before it or any of its members, or before any referse, have been brought, prosecuted or defended without reasonable ground, it may assess the whole cost of the proceedings upon the party who so brought, prosecuted or defended them. Section 53. If any person subposmed to

Section 53. If any person subpoemed to appear at any hearing or proceeding fails to obey the command of such subpoems without reasonable cause, or if any person in attendance at any hearing or proceeding shall, without reasonable cause, refuse to be sworn, or to be examined, or to to be sworn, or to be examined, or to naswer a question, or to produce a book r paper or to subscribe or swear to his aposition, he shall be deemed guilty of a sindemeanor, and on conviction thereof hall be punished by a fine of not more lien five hundred dollars, or by imprison-

ing any proceedings under this act, the same shall not abate, but on notice to the parties may be revived and proceed in favor of the successor to the rights or against the personal representative of the party liable, in like manner as in civil

Section 55. Any person who shall make or conspire with, aid, or abet another make, any false or fraudulent claim compensation or other benefits under this act, and any person who shall by fraud, deceit or misrepresentation receive, make or cause to be made, or conspire with, aid or abet another to receive, make or cause to be made, any payment of com-pensation under this act to which the recipient is not lawfully entitled, and any person who shall by fraud, deceit or misrepresentation and with intent to defraud, cause or procure, or conspire with, aid or abet another in causing or procuring any person entitled to any benefits under this act to fall to make claim therefor or to accept in payment thereof less than is due under this act, shall be deemed guilty of a misdemeanor, and on convic tion thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment.

Section 56. There is hereby created the Missouri workmen's compensation com-mission consisting of four members to be appointed by the governor, by and with the advice and consent of the senate, and the commission shall organize by electing one of their members as chairman. term of office of each commissioner shall be gix years, except that when first con-stituted two members of the commission shall be appointed for four years and two for six years, and thereafter all vacancies shall be filled as they occur. The terms of office of the first commissioners shall perin on the date of their appointment begin on the date of their appointment, which shall be immediately after the adjournment of the general assembly. Two members of the commission shall be appointed from each of the two dominant political parties, and at least one member of said commission shall be a person who on account of his previous vocation, employment or a lilation shall be classified as a representative of employers, and at least one member of said commission shall be a person who, on account of his previous person who are presentative or the person who are person who ar be a person who, on account of his previous vocation, employment or affiliation shall be classified as a representative of employees: Provided, however, that for the first four years after the approval of this act in the appointment of members of the commission, preference shall be given, other conditions being equal, to honorably discharged United States sol-diers, sailors and marines, but any other preference or discrimination among citisens of this state in connection therewith is hereby declared to be unlawful. Such commissioners may be removed in like manner as is provided by law for members of the public service commession. Vacau-cies shall be filled by the governor for the unexpired term, and during any vacancy the remaining members shall exercise all of the powers of the commission. annual salary of each commissioner shall be three thousand five hundred dollars.

Section 57. Each commissioner and each person appointed to office or employment by the commission shall, before enterin pon his duties, take and subscribe to an oath or affirmation to support the Consti-tution of the United States and of this state, and to faithfully and honestly disharge the duties of such office or employment. Each commissioner and each per-son appointed to office by the commission shall give his whole time to his duties, nor shall he serve on any committee of any political party. Each commissioner shall before entering upon his duties give a bond to the state of Missouri in the sum of fifty thousand dollars conditioned that he will faithfully perform the duties of his office, and if a surety company bond be given the premium therefor shall be paid by the state as other expenses under this act.

Sec. 58. The commission may sue and be sued in its official name and shall have a seal bearing the inscription "Missouri workmen's compensation commission The seal shall be affixed to all writs and authentication of copies of records, papers on file, and to such other instruments as the commission shall direct, and all courts shall take judicial notice of such seal. Copies of the records and proceedings of the commission, and of all papers on file in its office, certified under the said seal, shall be evidence in all courts of the

and prescribe the duties of a secretary whose salary shall be \$2,500 per annum. and he shall hold office at the pleasure of the commission. The commission may appoint or employ during its pleasure and prescribe the duties of such employees as may be necessary to the proper adminis-tration of this act at salaries to be fixed by the commission and approved by the governor; provided, however, that salaries shall in no case exceed \$100 nonth to any stenographer, \$100 month to any clerical employee or \$150 per month to any other employee or assistant. The commission may also ap-point a medical adviser whose salary shall be fixed by the commission, but shall not exceed \$4,000 per annum. The commission may also appoint to hear any case any gircuit judge who shall act without comensation therefor.

Section 60. It shall be the duty of the attorney-general to furnish the commission with such legal services as it may require, and to appear on its behalf in all actions or proceedings to which it may be a party.

Section 61. The commission shall prepare and furnish free of charge blank forms of all notices, claims, reports, proofs and other blank forms and literature which it may deem proper and requisite to efficient administration of this act. may also authorize the publication and distribution of such blanks by employers and other persons.

Section 62. The commission shall be pro-vided with an office at the state capital in which its records shall be kept and may wided with an office at the state capital in which its records shall be kept and may maintain offices in such parts of the state as may be fixed by it. The commission shall also be provided with the necessary office furniture, books, stationery and other supplies. Paper and stationery shall be furnished, and printing desse for the commission as provided by chapter 39, Revised Statutes, 1919. The commissioners and each of their appointees and employees shall have reimbursed to them their agtual traveling expenses and disbursements incurred in the discharge of their duties while away from their regular offices and places of residence, but the same shall not be paid until verified by the affidavit of the person who incurred them and approved by the chairman of the commission. All salaries, expenses and costs under this not shall be paid monthly out of the support of the Missouri for the Missouri of the Missouri for the Missouri of monthly out of the state treasury from the fund for the support of the Missouri workmen's compensation commission.

workmen's compensation commission.
Section 63. The commission and its members shall have such powers as may be necessary to carry out all the provisions of this act, and it may make such rules and regulations as may be necessary for any such purpose.
Section 64. The commission shall charge and collect the following fees, to be paid at least once each month into the state treasury to the credit of the fund for the support of the Missouri workmen's com-

nation commission: for copies pers and records not required to be cer-tified or otherwise authenticated by the commission, ten cents for each one hun-dred words and figures; for certified copies of efficial documents, awards or other records, fifteen cents for each one hundred words and figures, and one dollar for every certificate under seal affixed there-to; for each certified copy of annual report of the commission, one dollar and fifty cents; far copies of evidence and proceedings, fifteen cents for each one hundred words and figures; also all other fees and charges allowed or required to be collected under this act or any other law. The commission shall also fix and collect from the employer the reasonable expense of any investigation necessary to determine his ability to carry his own insur-ance. No fees shall be charged or collected for copies of pagers, records, or official documents furnished to public officers for use in their official capacity, or for annual reports or other matters published by the commission, in the ordinary course of distribution, but the commission may fix reasonable charges for publications issued

under its authority. Section 65, Every public officer, without exacting a fee or charge therefor, shall the commission on application with a certified copy of any document, or part thereof, on file in his office, and no public officer shall be entitled to receive from the commission any fee for entering filing, docketing or recording any docu-ment required or authorized by law to be filed in his office.

Section 66. The commission -....ll make and submit to the governor, on or before the second Monday of January, in each year, a report containing a full and com-plete account of its transactions and pro-ceedings for the preceding year, together with all statistics and information collected by it, and such other facts, sug-gestions and recommendations as it may eem of value, which report shall be laid before the legislature.

Section 67. There is hereby created and established a fund to be known as the "Missouri compensation insurance fund," to be administered by the Missouri workmen's compensation commission, without liability on the part of the state, for the purpose of insuring employees against lia-bility for compensation under this act, and insuring to employees and other persons the compensation fixed by this act for employees and their dependents.

Section 68. The Missouri compensation assurance fund shall be deemed to be an nsurance carrier, shall be subject to all of the provisions of this act applying to insurance carriers, and shall be entitled to and may enforce all rights which are given to other insurers of employers under

Section 69. The Missouri compensation insurance fund shall be a revolving fund and shall consist of all money or property which may in any way be acquired by said fund, all premiums received and paid into the said fund for compensation insurance issued, all property and securities acquired by and through the use of moneys belonging to said fund and all interests earned upon moneys relating to said fund deposited or invested, as herein provided.

Section 70. Said fund shall be applicable to the payment of losses sustained on account of insurance and to the payment of salaries and other expenses to be charged against said fund in accordance with the provisions contained in this act.

Section 71. Said fund shall be fairly competitive with other insurance carriers. it is the intent of the larislature that said fund shall ultimately become neither more or less than self-supporting. In order that the Missouri compensation insurance fund shall ultimately become neither more nor ess than self-supporting, the actual loss experience and expense of the fund shall be ascertained on or about the first of January of each year for the year preceding, and should it then be shown that there exists an excess of assets over liabil-ities, such liabilities to include the necessary reserve and a reasonable surplus for the catastrophe hazard, then in the disretion of the commission, a cash dividend shall be declared to, or a credit allowed on the renewal premium of each employer who has been insured with the fund, such cash dividend or credit to be such an amount to which, as in the discretion of the commission, such employer may be entitled as the employer's proportion of divisible surplus.

Section 72. The commission is hereby vested with full power, authority and furisdiction over the Missouri compensation insurance fund and may do and perform any and all things whether herein specifically designated, or in addition thereto, which are necessary or convenient in the exercise of any power, authority, or jurisdiction over said fund, in the ad-ministration thereof or in connection with the insurance business to be carried on by it under the provisions of this act as fully and completely as the governing body of a private insurance carrier might or could do.

Section 73. The commission shall have full power and authority, and it shall be its duty, to manage and conduct all busi-ness and affairs in relation thereto, all of which business and affairs shall be conducted in the name of the Missouri compensation insurance fund and in that name, without any other name or title, the commission may-

(a) Sue and be sued in all the courts of the state in all actions arising out of any act, deed, matter, or thing made, omitted, entered into, done or suffered in connection with the Missouri compensation insurance fund, the administration, management, or conduct of the business or affairs relating thereto.

(b) Make and enter into contracts of insurance as herein provided, and such other contracts or obligations relating to the Missouri compensation insurance fund as are authorized or permitted under the provisions of this act.

(c) Invest and reinvest the moneys bevidad.

(d) Conduct all business and affairs relating to the Missouri compensation in-surance fund, whether herein specifically designated or in addition thereto.

To appoint a manager of the Mis souri compensation insurance fund, and such actuaries and other employees as may be necessary to carry on its business, at such salaries as may be fixed by the commission and approved by the governor, which shall not be subject to the limitation of section 50 of this act. limitation of section 59 of this act, but no such salary shall exceed that of the chairman of the commission.

Section 74. The commission may delegate to the manager of the Missouri comensation insurance fund, or to any other fficer, under such rules and regulations and subject to such conditions as it may from time to time prescribe, any of the powers, functions or duties conferred or imposed on the commission under the pro-visions of this act in connection with the Missouri compensation insurance fund, the administration, management, and con-duct of the business and affairs relating thereto, and the officer or officers to whom such delegation is made may exercise the powers and functions and perform the duties delegated with the same force and effect as the commission, but subject to

its approval. tion 75. The commission shall not section 78. The commission shall not, nor shall any commissioner, officer or employee thereof be personally liable in his private capacity for or on account of any act performed or contract or other obligation entered into or taken in an official capacity, in good faith and without intent to defraud, in connection with the admin-

Istration, management, or conduct of the auditor for all moneys so received, fur-Missouri compensation insurance fund, its nishing proper vouchers therefor. Missouri compensation insurance fund, its business, or other affairs relating thereto.

Section 76. In conducting the business and affairs of the Missouri compensation insurance fund, the manager of the said fund or other officer to whom such power and authority may be delegated by the commission, as provided by section 74 hereof, shall have full power and authority-

(1) To enter into contracts of insurance, insuring employers against liability for compensation, and insuring to employees and other persons the compensa-tion fixed by this act.

(2) To sell annuities covering compen-

(3) To decline to insure any risk in (3) To decline to insure any risk in which the minimum requirements of the commission with regard to construction, equipment, and operation are not observed or which is beyond the safe carrying of the Missouri compensation insurance fund, but shall not have power, or authority, except as otherwise provided in this section, to refuse to insure any compensation risk tendered with the premium therefor,

(4) To reinsure any risk or any part thereof. Provided, however, that any contract of reinsurance and any reinsurance carrier shall first be approved by the su-perintendent of insurance.

(5) To inspect and audit, or cause to be inspected and audited, the pay rolls of employers applying for insurance against liability for compensation.

To make and enforce rules and regulations for the investigation and set-tlement of claims against such fund and to determine to whom and through whom the payments of compensation are to be made. (7) To contract with physicians, sur-

geons and hospitals for medical and sur-gical treatment and the care and nursing of injured persons entitled to benefits from said fund.

Sec. 77. (a) It shall be the duty of the commission to fix and determine the rates to be charged by the Missouri compensation insurance fund for compensation insurance coverage as herein pro-vided, and such rates shall be fixed with due regard to the physical hazards of each industry, occupation, or employment, and, within each class, so far as practicable, in accordance with the elements of bodily risk or safety or other hazard of the plant or premises or work of each insured and the manner in which the same is conducted, together with a reasonable regard for the accident experience and history of each such insured, and the means and methods of caring for injured persons but such rates shall take no account of the extent to which the employees in any particular establishment have or have not ersons dependent upon them for support;

(b) The rates so made shall be that ercentage of the pay roll of any employer which, in the long run and on the average, shall produce a sufficient invested at three and one-half per cent interest:

(1) To carry all claims to maturity; that is to say, the rates shall be based upon the "reserve" and not upon the assessment" plan; (2) To meet the reasonable expenses

of conducting the business of such insur-ance, which shall not exceed ten per cent of the earned premiums; (3) To produce a reasonable surplus to cover the catastrophe hazard.

(c) Nothing in this section shall be construed as exempting the rates so made from the operation of section 29 of this net.

Sec. 78. Every employer accepting the

provisions of this act may insure his lia-bility hereunder with the Missouri com-pensation insurance fund, subject to the provisions hereof and to such rules and regulations as may be prescribed by the commission or under its authority. The insurance contracts entered into between the Missouri compensation insurance fund and persons insuring therewith may be either limited or unlimited and issued for one year, or, in the form of stamps or tickets or otherwise, for one month or any number of months less than one year, or for one day or for any number of days less than one month or during the performance of any particular work, job, or contract: Provided, that the rates charged shall be proportionately greater for a shall be proportionately greater for a shorter period than for a longer period and that a minimum premium charge shall be fixed in accordance with a reaone day. Nothing in this act shall be construed to prevent any person applying for compensation insurance from being covered temporarily until the application is finally acted upon, or to prevent the insured from surrendering any policy any time and having returned to him lifference between the premium paid and the premium at the customary short term for the shorter period which such policy has already run. The Missouri compensation insurance fund may at any time cancel any policy after due notice, upon a

pro rata basis of premium repayment. Sec. 78. The Missouri compensation in-surance fund may issue policies, includ-ing with their employees employers who perform labor incidental to their occupations, and including also members of the families of such employers engaged in the same occupation, such policies insuring to such employers and working members of their families the same compensation pro-vided for their employees, and at same rates: Provided, that the estimations of their wage values, respectively, shall be reasonable and separately stated in and added to the valuation of their pay rolls upon which their premium is computed. Such policies may likewise be sold to self-employing persons and to casual employees who, for the purpose of such insurance, shall be deemed to be employed within the meaning of the act.

Sec. 80. The treasurer of the state shall be custodian of all moneys and se-curities belonging to the Missouri compensation insurance fund, except pensation insurance tune, except an otherwise provided in this act, and shall be liable on his official bond for the safe keeping thereof. All moneys belonging to said fund collected or received by the commission or the manager of the Mis-souri compensation insurance fund, under and by virtue of the provisions of this act, shall be delivered to the treas-ury of the state or may be deposited to his credit in such bank or banks throughout the state as he may, from time to time, designate, and such moneys when so delivered or deposited shall be credited by the treasurer to the said fund and no moneys received or collected on account of such fund shall be expended or paid out of such fund without first paying into the hands of the state treasurer and being drawn therefrom as provided in this act. In like manner there shall be delivered to the treasurer all securities belonging to said fund, which shall be held by him unless otherwise disposed of as provided in this act. The treasurer shall collect the principal of such securities when due, and the interest thereon, and pay the same into the fund.

Sec. 81 (a) The commission shall sub sec. si (a) The comments and its each month to the state auditor an estimate of the amount necessary to meet the current disbursements from the Missouri compensation insurance fund during each succeeding calendar menth, and when such estimate shall be approved by the state auditor, the auditor is directed to draw his warrant on said fund in fa-ver of said commission for such amount, and the treasurer is authorized and directed to pay the same.

(b) At the end of each calendar month

(c) During the months of January and July of each year the state auditor or the commission shall cause a valuation to be made of the properties and securities which have been acquired and which are held for said fund, and shall report the results of the same to the state auditor. whose duty it shall be to keep a

special ledger account showing all of the assets pertaining to the Missouri compen-sation insurance fund. In the auditor's general ledger this fund account may be carried merely as a cash account, like accounts of funds in the state treasury, and therein only the actual cash coming ount, like treasury, into the Missouri compensation insurance fund shall be credited to such fund.

(d) Nothing in this act shall be construed as placing the said fund in the treasury of the state or under its man-

Sec. 82. (a) The commission shall cause all moneys in the Missouri compensation insurance fund, in excess of current requirements, to be invested and reinvested from time to time, in the securities now or hereinafter authorized by law for the investment of funds of savings hanks. savings banks.

(b) The commission shall, from time to time, submit to the board of fund commissioners an estimate of the amount required by it for investment, which estimate shall be accompanied by a full description of the kind and character of the investments to be made and when such estimate shall be approved by the said board, the state auditor shall draw his warrant on the Missouri compensa-tion insurance fund in favor of the commission for such amount and the treasurer is authorized and directed to pay the

(c) At the end of each calendar month the commission shall account to the state auditor for all moneys so received, fur-nishing proper vouchers therefor.

(d) All moneys in said fund, in excess of current requirements and not other-wise invested, may be deposited by the state treasurer from time to time in the banks authorized by law to receive deposits of public moneys under the same rules and regulations that govern the deposit of other public funds, and the interest accruing thereon shall be credited to the Missouri compensation insurance to th

Sec. 83. The state and each county, municipal corporation, township, school, road, drainage, swamp and levee district, school board, board of education, regents, curators, managers, or control, commis-sion, board, and each other political subdivision, corporation or quasi-corpora-tion thereof, may insure against its liability for compensation with the Missouri compensation insurance fund, and the premium therefor shall be a proper charge against the general fund of each such political subdivision of the state.

Sec. 84. The commission shall each quarter make to the governor of the state, reports of the business done by the Missouri compensation insurance fund during the previous quarter, and a statement of the fund's resources and liabilities, and it shall be the duty of the state auditor to audit such report. The commission shall likewise make to the superintend-ent of the insurance department all re-ports required by law to be made by other insurance carriers.

Sec. 85. Any employer who shall willfully misrepresent the amount of the pay roll upon which his premium under this act is based shall be liable to the Mis-souri compensation insurance fund in ten times the amount of the difference in premium paid and the amount the employer should have paid had his pay roll been correctly computed, and the liability to the fund under this section shall be enforced in a civil action in the name of the Missouri compensation insurance fund, and any amount so collected shall become a part of said fund. .

Sec. 86. Any person who willfully misrepresents any fact in order to obtain insurance at less than the proper rate for such insurance, or in order to obtain any payments out of such fund shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five thousand dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment.

Sec. 87. For the purpose of providing for the expense of administering this act every person, partnership, association, corporation, whether organized under the laws of this or any other state or country, company, mutual company, the par-ties to any inter-indemnity contract, or other plan or scheme, the Missouri compensation insurance fund and every other insurance carrier, insuring employ-ers in this state against liability for personal injuries to their employees, or for death caused thereby, under this act, s' .ll, as hereinafter provided, pay tax upon the deposits or premiums received. whether in cash or notes, in this state, or on account of business done in this state, for suc! insurance in this state at the rate of two and one-half per cent in lieu of all other taxes on such deposits or pr miums, which amount of taxes shall be assessed and collected as hereinafter provided; provided that such insurance carriers shall be credited with canceled or returned premiums or savings actually paid to the insured in this state, and with premiums on reinsurance with insurance carriers authorized and licensed to trans-act business in Missouri, which reinsur-ance shall be reported by the carrier reinsuring such business; but no credit shall be allowed for reinsurance in insurance carrier not licensed to transact business in Missouri.

Sec. 88. If any such insurance carrier shall fail or refuse to make the return required by this act, the said superintendent shall assess the tax against such insurance carrier or self-insurer at the rate herein provided for, on such amount or premiums or deposits as he shall deem just, and the proceedings thereon shall be the same as if the return had been made.

Sec. 89. Every such insurance carrier shall on or before the first day of April, 1922, and each year thereafter, make a return, verified by the affidavit of its president and secretary, or other chief officers or agents, to the superintendent of the insurance department, stating the amount of all such gross premiums or ds-posits and credits during the year ending on the list day of December, next pre-ceding. Upon the receipt of such returns, the superintendent shall verify the same and assess the tax upon the various in-surance carriers on the basis and at the rate provided in section 87 of this act, and make a schedule thereof, duplicate copies of which, properly certified by said superintendent, shall be filed in the office of the state auditor and state treasurer on or before the 15th day of April in each year. Immediately thereafter the super-intendent shall notify the insurance carriers of the amount of taxes respectively due from them, and such taxes shall be paid annually into the state treasury on paid annually into the state treasury on or before the first day of May, next ensu-ing. If not so paid the state treasurer shall certify the fact to the superintend-ent, who shall thereafter suspend such delinquent carriers of insurance from the further transaction of business in this state until such taxes shall be paid. Upon receiving and morey the receiving said money the state treasure shall place the whole thereof to the credit of the fund for the support of the Missouri workmen's compensation commission. As the board of fund commission.